UNITED STATES DISTRICT COURT EASTERN DISTRICT OF MISSOURI EASTERN DIVISION

KEELA GORE,)	
Plaintiff,)	
v.)	No. 4:07CV1985 FRB
MAYER CUSTOM HOMES, INC.,)	
Defendants.)	

MEMORANDUM AND ORDER

This matter is before the Court on plaintiff's response to the Court's Show Cause Order directing plaintiff to inform the Court why the case should not be dismissed for lack of subject matter jurisdiction. Plaintiff has failed to establish federal court jurisdiction, and the Court will dismiss this action without prejudice.

The complaint alleges that plaintiff was fraudulently induced to enter into a contract by defendants. The complaint does not contain a "short and plain statement of the grounds for the court's jurisdiction" as required by Rule 8(a). Nor does the complaint cite to any federal statute. The complaint establishes that the parties are not diverse. The complaint requests a monetary award of \$480,000 pursuant to Missouri statute.

Plaintiff's response to the Show Cause Order does not allege that defendants violated any federal statute or the United States Constitution. Nor does the response

allege any other basis for federal court jurisdiction. As a result, the Court will dismiss the complaint pursuant to Fed. R. Civ. P. 12(h)(3).

Accordingly,

IT IS HEREBY ORDERED that the complaint is **DISMISSED**, without prejudice, pursuant to Fed. R. Civ. P. 12(h)(3).

IT IS FURTHER ORDERED that plaintiff's motion to proceed in forma pauperis is **DENIED** as moot.

Dated this 11th day of January, 2008.

UNITED STATES DISTRICT JUDGE